

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

IN THE MARION SUPERIOR COURT
CAUSE NO. 49D~~10~~-9909-CP-1353

STATE OF INDIANA,)

Plaintiff,)

v.)

OMEGA MERCHANDISING SYSTEMS, INC.,)

Defendant.)

FILED

DEC 10 1999

Jan A. M. Taylor
CLERK OF THE
MARION CIRCUIT COURT

AGREED JUDGMENT

The Plaintiff, the State of Indiana, by Attorney General, Jeffrey A. Modisett, and Deputy Attorney General Eric Jackson, having filed its Verified Complaint for Injunction, Restitution, Costs, and Civil Penalties against the Defendant, Omega Merchandising Systems, Inc., and the Parties desiring to enter into an Agreed Judgment without trial and adjudication of any issue of fact or law, do freely and voluntarily enter into this Agreed Judgment.

DECREE

Now, therefore, by consent and agreement of the parties hereto, it is ORDERED, ADJUDGED AND DECREED as follows:

1. The Court has continuing jurisdiction over the subject matter of this action and over the Defendant for the purpose of enforcement and modification of this Agreed Judgment.
2. Defendant Omega Merchandising Systems Inc., its agents, representatives, employees, successors, and assigns, are permanently enjoined pursuant to Ind. Code 24-5-8-18 and Ind. Code 24-5-0.5-4(c)(1), from engaging in conduct in violation of Ind. Code 24-5-8-1 et seq. or Ind. Code 24-5-0.5-1 et seq., specifically the advertising and solicitation of business opportunities to Indiana residents without the required registration, bond, and disclosures.

3 Any contracts entered into between the Defendant and any Indiana consumer prior to the Defendant being properly bonded and registered and meeting the requirements of I.C. § 24-5-5-1 et seq., are canceled pursuant to Ind. Code § 24-5-5-4(d).

4. Defendant Omega Merchandising Systems Inc., additionally agrees to pay the costs incurred by the Indiana Office of the Attorney General, pursuant to Ind. Code § 24-5-0.5-4(c)(3), in the amount of One Thousand Two Hundred and Ten Dollars (\$1,210.00).

5. Defendant Omega Merchandising Systems Inc., agrees to pay additional attorneys fees and costs incurred by the Plaintiff for any supplemental Court proceedings necessary to enforce the terms of this Agreed Judgment.

6. All payments shall be delivered to the Indiana Office of the Attorney General, 402 West Washington Street, Indiana Government Center South 5th floor, Indianapolis, Indiana 46204, ATTN: Eric Jackson.

IN WITNESS THEREOF, M.M. Cooper has signed this Agreed Judgment as General Manager of the Defendant, Omega Merchandising Systems, Inc., and Eric Jackson, Deputy Attorney General, has signed this Agreed Judgment on behalf of the Plaintiff, the State of Indiana.

STATE OF INDIANA, Plaintiff

Jeffrey A. Modisett, #14704-49
Attorney General of Indiana

by: Eric Jackson
Eric Jackson, #19415-49
Deputy Attorney General

Date: 11/29

Omega Merchandising Systems Inc.

by: M.M. Cooper
M.M. Cooper, General Manager

Date: 11-22-99

APPROVED, ORDERED, ADJUDGED, AND DECREED this 10 day of December, 1999.


Judge, Marion Superior Court

DISTRIBUTION:

Eric Jackson
Deputy Attorney General
402 West Washington Street
IGCS, 5th Floor
Indianapolis, Indiana 46204

Omega Merchandising Systems, Inc.
7150 E. Camelback Rd., Ste. 300
Scottsdale, AZ. 85251

APPROVED, ORDERED, ADJUDGED, AND DECREED this 10 day of December, 1999.

F. Brad Johnson
Judge, Marion Superior Court

DISTRIBUTION:

Eric Jackson
Deputy Attorney General
402 West Washington Street
IGCS, 5th Floor
Indianapolis, Indiana 46204

Omega Merchandising Systems, Inc.
7150 E. Camelback Rd., Ste. 300
Scottsdale, AZ. 85251

F. Brad Johnson